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In re Application of
Leslie Michael Lea et al.
Application No. 10/043,265
Filed: January 14, 2002
Attorney Docket No. WLJ/056CIP

**OFFICE OF PETITIONS
ON PETITION**

This is a decision on the petition filed October 12, 2007 under 37 CFR 1.137 (b) to revive the above-identified application.

The petition is **GRANTED**.

In response to a Final Office Action mailed March 13, 2006, a Notice of Appeal was filed September 13, 2006 with a three month extension of time. The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed September 13, 2006, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the above-identified application became abandoned on November 14, 2006. See MPEP 1215.04.

Petitioner has submitted a Request for Continued Examination (RCE) and an amendment as the submission required under 37 CFR 1.114.

The fees for the petition to revive (\$770.00) and the RCE (\$405.00) have been charged to Deposit Account No. 50-0238 as authorized.

The request for continued examination (RCE) of this application under 37 CFR 1.114 is being forwarded to Technology Center 1792 for processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

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